

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

)	
Charles Newton,)	
Petitioner,)	
)	
v.)	C.A. No. 1:19-cv-00452-MSM-LDA
)	
Patricia Coyne-Fague)	
Respondent.)	
)	

ORDER

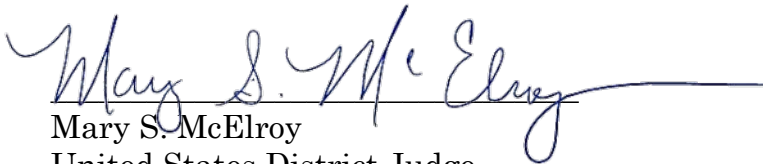
Mary S. McElroy, United States District Judge.

The matter before the Court is Petitioner’s Objection (ECF No. 8) to the Report and Recommendation of Magistrate Judge Lincoln D. Almond (ECF No. 6) (the “R&R”), concerning the Respondent’s Motion to Dismiss (ECF No. 5). The Petitioner Objects to the R&R claiming that the Magistrate Judge erred in holding that the Petitioner’s 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus is time barred pursuant to the applicable statute of limitations contained in 28 U.S.C. § 2244.

The Court’s review of the R&R is pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b)(3) of the Federal Rules of Civil Procedure. After reviewing the Petition (ECF No. 1), the Motion to Dismiss (ECF No. 5), the R&R, the Objection to the R&R (ECF No. 8), and the Response to the Objection to the R&R (ECF No. 9), the Court agrees

with Magistrate Judge Almond's recommendation. The Court hereby ACCEPTS the R&R. The Petitioner's Objection to the R&R (ECF No. 8) is rejected, the Respondent's Motion to Dismiss (ECF No. 5) is GRANTED, and the Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1) is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.


Mary S. McElroy
United States District Judge

4/6/2020